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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 08/889,033
Filing Date: July 07, 1997
Appellant(s): FRAZZITTA ET AL.

Ralph E. Jocke Reg. No. 31,029
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 04/10/2006 appealing from the Office action mailed 10/27/2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 3,294,342	M.C McClure et al.	12-1966
US 4,580,040	Granzow et al.	04-1986
US 5,483,047	Ramachandran et al.	01-1996

US 5,661,283

Gallacher et al.

08-1997

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 12, 14-16, 18-19, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over M. C. McClure et al. (US 3,294,342) in view of Granzow et al. (US 4,580,040).

Re claims 1-3, 12, 18-19, and 38-40, McClure teaches a transaction system comprising a service provider (SP) station (fig. 5), wherein the SP station is enabled to be operated by a service provider (20 of fig. 1, note service operator is inside or interior the bank, see also col. 1, lines 40-43) providing a transaction, wherein the SP station includes therein an SP carrier (56 of fig. 5) delivery and receiving device and at least one component of an SP visual display (24 of fig. 5), an SP camera (30 of fig. 5), an SP audio transmitting device (32 of fig. 5), an SP audio receiving device (32 of fig. 5);

at least one customer station (10 of fig. 1), wherein the customer station is enabled to be operated by a customer requesting a transaction, wherein the customer station includes therein a customer carrier delivery and receiving device (56 of fig. 3) and at least one component of a

Art Unit: 2621

customer visual display (29 of fig. 1), a customer camera (22 of fig. 1), a customer audio transmitting device (31 of fig. 1), a customer audio receiving device (31 of fig. 1);

wherein the SP carrier delivery and receiving device (42 and 56 of fig. 3) is in operative connection with the customer carrier delivery and receiving device, and wherein a pneumatic tube carrier (42 and 56 of fig. 3, Col. 4, lines 47-67) delivery and receiving devices are positioned within the interior area of the building is enabled to be selectively moved with a transaction item (40 of fig. 3) between the customer carrier delivery and receiving device and the SP carrier delivery and receiving device;

wherein the SP station is in operative connection with a communication selector device (60 and 60' of fig. 5), and wherein the video and audio connection between the SP station and one of the customer stations is responsive to an input to the communication selector device (Col. 5, lines 26-29); a secure room (the teller station (18 of fig. 5) is inside the bank or building as secure room), and wherein the SP station (18 of fig. 5) is housed in the secure room, and wherein the customer station is disposed outside of the secure room (fig. 1);

It is noted that McClure does not particularly teach the SP station and the customer stations are positioned inside of the building or bank and interior wall as claimed.

However, Granzow teaches the SP station (14 of fig. 8) and the customer stations (12 and 12-1 of fig. 8) are positioned inside of the building or bank, and the ATM (12 of fig. 1) is one of the types, which is mounted inside a bank and interior wall (114 and 146 of fig. 1; col. 6, lines 40-45).

Therefore, taking the teachings of McClure and Granzow as a whole, it would have been obvious one of ordinary skill in the art to incorporate the suggestions of Granzow, where the

Art Unit: 2621

ATM and teller station (12, 12-1, and 14 of fig. 8) are positioned inside the bank, into the transaction system of McClure for a non-driving costumer to do banking without waiting line from a drive through ATM.

Doing so would provide the improved productivity and efficiency of personnel, and greater variety of services conveniently archived.

Re claim 14, McClure further discloses a video switching device (60 and 60' of fig. 5) in operative connection with the SP station, and wherein the video switching device is operative to selectively establish video connections between the SP CCTV camera and the customer video display on the customer station.

Re claims 15 and 16, McClure further teaches the system further comprises a video material presenting device (24, 30 of fig. 5), wherein the video material presenting device is operative to generate video signals, and wherein the video switching device (60 of fig. 5) is in operative connection with the video presenting device, and wherein the video switching device is operative to selectively connect the video material presenting device to the customer visual display; wherein the video switching device (60 and 60' of fig. 5) is operative to selectively connect the customer visual display to either the video material presenting device or the SP CCTV camera.

3. Claims 4-11, 20-23, 28-37, and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over M. C. McClure et al. (US 3,294,342) in view of Granzow et al. (US 4,580,040) as applied to claims 1 and 38, and further in view of Ramachandran et al. (US 5,483,047).

Re claims 4-9, 11, 20-23, 28-37, 41-44, the combination does not particularly teach the details of the customer station as claimed.

However, Ramachandran teaches wherein the customer station (ATM, 12 of fig. 1) comprises a frame (14 and 16 of fig. 1) and wherein the wall comprises an opening (note a "through-the-wall" configuration; Col. 2, lines 41-43), and wherein the frame (14 of fig. 1) is in supporting connection with the wall and extends in the opening (col. 1, lines 24-31; note automated teller machines are designed to be inside the wall of a bank and have their customer interface extending through the wall of the bank. This enables customers to conduct their transactions without entering the bank either in a walk-up or drive-up fashion. This type of configuration is known as a "through-the-wall" configuration), and wherein **at least of one of the** customer visual display (22 of fig. 1), customer CCTV camera, customer audio transmitting device, customer audio receiving device, or customer carrier device is in supporting connection with the frame (14 and 16 of fig. 1) and a generally horizontally extending shelf (46 of fig. 2).

Furthermore, Ramachandran teaches wherein the customer station further comprises a cover (18 of fig. 1), and wherein the cover is movably mounted on the frame (14 and 16 of fig. 1), and wherein the cover is movable to enable access to the opening, and wherein the cover (18 of fig. 1) is movably mounted in supporting connection with the wall, and wherein in a first position the cover (18 of fig. 1) overlies at least one component among the customer visual display, customer CCTV camera, or customer carrier device, and wherein the cover includes at least one opening (62 of fig. 1), wherein the one component is manually accessible through the at least one opening whereby it is enabled to be operated by a customer in the first position of the

Art Unit: 2621

cover, and wherein in a second position the cover is disposed from the one component and the component is rendered accessible for servicing (20, 22, 24, 28, 30 of fig. 1).

Additionally, Ramachandran teaches the frame comprises a doorframe (40 of fig. 2); at least one hinge (48, 58 of figs. 3 and 4) operatively connected to the doorframe (40 of fig. 4), and wherein the cover (18 of fig. 1) is movably mounted relative to the frame through the hinge (note a pair of lifting arms (58 of fig. 4), functioning as a hinge, which are pivotally mounted on pins in the mounting areas (48 of fig. 4) relative to the frame (14 of fig. 1)); wherein the frame (14 and 16 of fig. 1) bounds the opening, and further comprising a sub frame in supporting connection with the frame, and wherein the sub frame extends in the opening (20, 22, 24, 28, 30 of fig. 1), and wherein at least one of the customer visual display, the customer CCTV camera, or the customer carrier device is in supporting connection with the sub frame (20, 22, 24, 28, 30 of fig. 1); wherein the cover includes at least one storage location (28 of fig. 1, note storing cash money; 30 of fig. 1, note storing deposits), wherein articles (cash money, deposits) are enabled to be stored in the storage location; wherein in the first position the cover (18 of fig. 2) is in abutting relation (open position) with the wall and generally extends in surrounding relation of the frame (14 and 18 of fig. 1); releasable locking the cover (18 of fig. 2) in the first position by operatively engaging the cover and the frame in an area disposed from the hinge connection (58 of fig. 2); wherein when the cover (18 of fig. 1) is moved to the first position the cover extends in generally abutting relation with the wall and in surrounding relation of the frame (14 of fig. 1).

Therefore, taking the teachings of McClure, Granzow, and Ramachandran as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Ramachandran into the combined transaction system of McClure and Granzow to be readily

Art Unit: 2621

adapted to front or rear load configuration as required for a lobby or through-the-wall installation.

Doing so would provide an automated teller machine that is readily serviceable and required less space for installation and to minimize the risk of unauthorized persons gaining access the ATM.

4. Claims 13, 17, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over M. C. McClure et al. (US 3,294,342) in view of Granzow et al. (US 4,580,040) as applied to claim 38, and further in view of Gallacher et al. (US 5,661,283).

Re claims 13, 17, and 24-27, the combination of McClure and Granzow does not particularly teach the limitations as claimed.

However, Gallacher teaches the video material presenting device comprises a computer (ACD and AGENT of fig. 10), and wherein the computer is in operative connection with a data store (ACD of fig. 10, database), and wherein the data store includes data representative of video material, and wherein the computer is in operative connection with a data transmission line (ISDN CALL (2CHANNELS) of fig. 10), and wherein the video material is changeable through the data transmission line (ISDN, POTS of fig. 10) as claimed in claim 17;

wherein each customer station includes a device actuatable (ATM is actuated when the card has been read or a presence of customer has been detected) by a customer at a customer station (POINTING DEVICE, READER, CAM, MIKE, VISTIUM PERSONAL VIDEO CONFERENCING SOFTWARE of fig. 2; see also fig. 4), and wherein the system further includes a queuing device (C of fig. 11, Note receiving the requested information) at the SP

Art Unit: 2621

station (fig. 11, AGENT 2), and wherein the queuing device is in operative connection with each customer actuable device (RECEIVE REQUEST FROM CUSTOMER FOR VIDEO CONFERENCE of fig. 9), and wherein the queuing device is operative to generate an order wherein the order includes data representative of a time sequence (col. 3, lines 52-65) in which the actuable devices at the customer stations were actuated (col. 8, lines 43-65), and wherein the queuing device is operative to indicate data responsive to the order (Note the request can be made, and detected, in numerous ways. For example, an electrical switch, labeled "PRESS FOR ASSISTANCE" can be provided at the ATM. The customer actuates the switch when assistance is requested, thereby producing the SIGNAL FROM CUSTOMER in FIG. 4. Alternately, the cradle which holds the telephone handset, discussed above, can be equipped with a detector, such as a mechanical switch or a proximity detector, which detects withdrawal of the handset. This detector issues the SIGNAL FROM CUSTOMER shown in FIG. 4) as claimed in claim 24;

wherein the SP station further includes a communication selector unit (fig. 11), and wherein the system is operative responsive to inputs to the selector unit to selectively place the SP station in video and audio communication with one of the customer stations (audio and video conferencing; fig. 9; DELIVERLY MESSAGE WHICH, IDENTIFIES ATAM, REQUEST VIDEO CONFERENCE; Fig. 10), and wherein the selector unit is in operative connection with the queuing device, and wherein the queuing device (39 of fig. 4) is operative to remove from the order the data representative of the one customer station responsive to the selector unit operating to place the one customer station and the SP station in communication as claimed in claim 25;

wherein the customer station (ATM) actuable device comprises a customer presence sensor (col. 4, line 61-col.5, line4), and wherein the queuing device is operative to defer placing

Art Unit: 2621

data representative of the one customer station in the order while the SP station and the one customer station are in video and audio communication (39 of fig. 4) as claimed in claims 13 and 26;

wherein the sensor (col. 5, lines 1-4) is operative to sense a person positioned adjacent the customer station, and wherein the SP station includes an indicator in operative connection with the sensor wherein an indication is given at the SP station of the presence of the person adjacent the customer station (col. 8, lines 43-60); wherein the queuing device (col. 5, lines 1-4, note it is possible that the customer may leave the ATM abruptly. Block 39 monitors such activity, and automatically terminates the videoconference when it is detected. The detection can be undertaken in several ways. One is to detect whether the ATM has become IDLE, because of lack of customer input for a predetermined period, as indicated. In ATMs which are equipped with proximity sensors (which detect the approach of customers), the S.sup.4 software detects the approach, and issues a signal in response) is operative to place data representative of the one customer station in the order again after the customer presence sensor ceases to sense the customer adjacent the one customer station subsequent to the one customer station and SP station being in communication, and thereafter again senses a customer as claimed in claim 27.

Therefore, taking the teachings of McClure, Granzow, and Gallacher as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Gallacher into the combined transaction system of McClure and Granzow for patching the customer to a station teller (the field of expertise) based on the request of customers.

Doing so would provide the transaction system to select a consultant who is expert in the type of transaction, which the customer was undertaking when the customer requested assistance.

Art Unit: 2621

(10) Response to Argument

The applicable Legal Standard

The appellant pointed out the office action does not produce a prima facie case and evidence of nonobviousness, page 13 of the appeal brief.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Office Action above, paragraph 9, suggests all limitations to make obvious the claimed invention.

The 35 U.S.C. 103 (a) Rejections are legally improper

The rejections are devoid of any teaching, suggestion, or motivation

The appellants traverse the rejections because there is no teaching, suggestion, or motivation cited, page 14 of the appeal brief.

In response to appellant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge

Art Unit: 2621

generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The rejections are based on hindsight reconstruction

The appellant argued that the rejections based on hindsight reconstruction of claimed invention, page 14 of the appeal brief.

In response to appellant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

The Office has not established a prima facie showing of obviousness

The Office has not established a prima facie case of obviousness and the rejections are not support by concrete evidence of record, page 14 of the appeal brief.

In response to appellant's argument, the examiner would like point out the following basic principle of a proper prior art analysis within 35 U.S.C. 103 (a).

Not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. In re

Art Unit: 2621

Preda, 401 F.2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F.2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. In re Sovish, 769 F.2d 738, 226 USPQ 771 (Fed. Cir. 1985).

Furthermore, artisans must be presumed to know something about the art apart from what the references disclose. In re Jacoby, 309 F.2d 513, 135 USPQ 317 (CCPA 1962). The obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference. In re Bozek, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969)). Every reference relies to some extent on knowledge of persons skilled in the art to complement that which is disclosed therein. In re Bode, 550 F.2d 656, 193 USPQ 12 (CCPA 1977).

**The Claims Are Not Obvious Over
McClure in view of Granzow**

Claim 1

McClure teaches the recited features and relationships

The appellants pointed out “an exemplary transaction system (10)...to be selectively moved there between” that is not claimed in the invention, therefore the arguments are acknowledged but not persuasive.

The appellants submitted that McClure does not teach or suggest both SP carrier delivery and receiving device and a customer carrier delivery and receiving device positioned inside of the same building, a building having therein a customer station including carrier delivery and receiving device from which a carrier can be selectively moved, SP carrier delivery and receiving device in connection with a customer carrier delivery and receiving device; and neither McClure nor Granzow teaches SP carrier delivery and receiving device and a customer carrier

Art Unit: 2621

delivery and receiving device positioned inside of the same building; and there is not teaching, suggestion, or motivation cited for combining features as claimed, pages 16-28 of appeal brief.

The examiner respectfully disagrees with the appellants. It is submitted that McClure teaches a service provider (SP) station (fig. 5 and 20 of fig. 1, note service operator is inside or interior the bank, see also col. 1, lines 40-43) providing a transaction, wherein the SP station includes therein an SP carrier (56 of fig. 5) delivery and receiving device and at least one component of an SP visual display (24 of fig. 5), an SP camera (30 of fig. 5), an SP audio transmitting device (32 of fig. 5), an SP audio receiving device (32 of fig. 5); at least one customer station (10 of fig. 1) operated by a customer requesting a transaction, wherein the customer station includes therein a customer carrier delivery and receiving device (56 of fig. 3); wherein the SP carrier delivery and receiving device (42 and 56 of fig. 3) is in operative connection with the customer carrier delivery and receiving device, and wherein a pneumatic tube carrier (42 and 56 of fig. 3, Col. 4, lines 47-67) delivery and receiving devices are positioned within the interior area of the building is enabled to be selectively moved with a transaction item (40 of fig. 3) between the customer carrier delivery and receiving device and the SP carrier delivery and receiving device; wherein the SP station is in operative connection with a communication selector device (60 and 60' of fig. 5), and wherein the video and audio connection between the SP station and one of the customer stations is responsive to an input to the communication selector device (Col. 5, lines 26-29); a secure room (the teller station (18 of fig. 5) is inside the bank or building as secure room), and wherein the SP station (18 of fig. 5) is housed in the secure room, and wherein the customer station is disposed outside of the secure room (fig. 1); wherein a building (bank) having therein a customer station including carrier

Art Unit: 2621

delivery and receiving device from which a carrier can be selectively moved, SP carrier delivery and receiving device in connection with a customer carrier delivery and receiving device (col. 2, lines 40-45). McClure teaches both SP carrier delivery and receiving device and a customer carrier delivery and receiving device positioned (fig. 1, Note costumer station; fig. 5, Note SP station) , wherein the costumer is built out side the building. Since McClure suggests the banking system having the costumer station (fig. 1) outside the bank, one skill in the art would use the customer station (fig. 1) to build inside the bank for the same purposing of serving a costumer, walking up costumer.

Granzow teaches the SP station (14 of fig. 8) and the customer stations (12 and 12-1 of fig. 8) are positioned inside of the building or bank, and the ATM (12 of fig. 1) is one of the types, which is mounted inside a bank and interior wall (114 and 146 of fig. 1; col. 6, lines 40-45). Therefore, one skill in the art would use the suggestion of Granzow and the disclosure of McClure to build the transaction system inside the building.

It is noted that one skill in the art built the customer station (fig. 1) of McClure outside the building, with that building technique one skill in the art would build both the customer station (fig. 1) and SP station (fig. 5) inside the same building or bank for the purpose of serving a walking up customer as suggested by Granzow.

The appellants rebutted the comments by the Board on pages 28-30 of the appeal brief. The examiner would like to prefer to the board opinion, page 26 of the decision dated July 21, 2005.

Claim 38

The appellants argued that the references do not teach or suggest a component of a customer station being positioned in supporting connection with an interior wall within building interior area, especially where the customer station has a customer pneumatic tube carrier delivery and receiving device in operative connection with an SP pneumatic tube carrier and receiving, where a carrier to be selectively moved between station and the interior SP station, pages 30-32 of the appeal brief.

The examiner respectfully disagrees with the appellants. It is submitted that McClure teaches a component of a customer station is outside the building and supporting connection with an interior wall within building interior area (10 of fig. 1 and the wall has exterior and interior, wherein interior is within building interior), especially where the customer station (fig. 1) has a customer pneumatic tube carrier delivery and receiving device in operative connection with an SP pneumatic tube carrier and receiving (col. 2, lines 40-45), where a carrier to be selectively moved between station and the interior SP station (col. 2, lines 40-45, note two way dispatch of material in capsule between station as considered selectively moved between stations).

Furthermore, the Granzow reference shows that the costumer station and the SP station that are built in the same building, this evidence to one skill in the art would use all disclosure of McClure to build the transaction system inside the same building.

Claim 2

The appellants argued that the references do not teach or suggest components of the customer station is positioned within the interior area of the building as the SP station components, pages 32-33 of the appeal brief.

The examiner respectfully disagrees with that applicant. It is submitted that McClure teaches the costumer station (fig. 1) includes the customer visual display (20 and 29 of fig. 1), customer CCTV camera (22 of fig. 1), customer audio transmitting device (31 of fig. 1), customer audio receiving device (31 of fig. 1), and customer pneumatic tube carrier delivery and receiving device (col. 2, lines 43-45); the SP station (fig. 5) includes an SP visual display (24 of fig. 5), SP CCTV camera (30 of fig. 5), SP audio transmitting device (32 of fig. 5), SP audio receiving device (32 of fig. 5), and SP pneumatic tube carrier delivery and receiving device (col. 2, lines 43-45), wherein the SP station is positioned inside the bank (fig. 5).

One skill in the art built the transaction system of McClure having the costumer station (fig. 1) positioned outside the building and the SP station positioned inside the building. With the building skill, the artisan would use all elements of disclosure of McClure to build the costumer station and the SP station inside the same building. Where the costumer station and the SP station are built within the same building as suggested by Granzow.

Claims 3, 12, 14-16

The appellants argued that neither of the references teach or suggest “the video switching device is operative to selectively connect to customer visual display to either the video material processing device or the SP CCTV camera”, pages 33-35 of the appeal brief.

The examiner respectfully disagrees with the appellants. It is submitted that McClure teaches the video switching device is operative to selectively connect to customer visual display to either the video material processing device (the amount money that costumer has in the bank) or the SP CCTV camera (60’ of fig. 5, Note a suitable controls for switching the camera and among other devices during banking). Therefore, claimed features a unpatentable over McClure.

Claim 18

The appellants argued that Neither nor Granzow teaches the SP station is housed in secure room, pages 35 and 36 of the appeal brief. The examiner respectfully disagrees that the SP station of McClure would be in a secure room (fig. 5), every SP station must be built in the secure room; and the SP station of Granzow must be built in a secure room (fig. 1). Furthermore, a SP station of every bank must be built in a secure in order to protecting tellers (operators).

Claims 19, 39, and 40

The appellants argued that the references do not teach or suggest a plurality of costumers stations, wherein the plurality of costumers stations are positioned within the interior area of the building, pages 36 and 37 of the appeal brief.

The examiner respectfully disagrees with the appellants. It is submitted that McClure teaches plurality of costumer stations (Stations I, II, and III of fig. 1). Where the costumer station would be built inside the building as suggested by Granzow (fig. 1). Therefore, one skill in the art would use the suggested teachings of McClure and Granzow to build the transaction system includes the SP station and costumer station inside the same building.

**The Claims Are Not Obvious Over
McClure in view of Granzow and Ramachandran**

Claims 4-11, 20-23, 28-37, and 41-44

The appellants argued that the references do not teach or suggest the limitations in claims 4-11, 20-23, 28-27, and 41-44. The examiner respect disagrees with that appellants. It is submitted that the combination of McClure and Granzow teaches the details of the costumer station (fig. 1, McClure) and the details of the SP station (fig. 5, McClure), wherein the costumer station and the SP station are positioned in the same building (fig. 1, Granzow). The combination of McClure and Granzow does not show the details of ATM device as claimed.

However, Ramachandran shows the customer station (ATM, 12 of fig. 1) comprises a frame (14 and 16 of fig. 1) and wherein the wall comprises an opening (note a "through-the-wall" configuration; Col. 2, lines 41-43), and wherein the frame (14 of fig. 1) is in supporting connection with the wall and extends in the opening (col. 1, lines 24-31; note automated teller machines are designed to be inside the wall of a bank and have their customer interface extending through the wall of the bank. This enables customers to conduct their transactions without entering the bank either in a walk-up or drive-up fashion. This type of configuration is

Art Unit: 2621

known as a "through-the-wall" configuration), and wherein **at least of one of** the customer visual display (22 of fig. 1), customer CCTV camera, customer audio transmitting device, customer audio receiving device, or customer carrier device is in supporting connection with the frame (14 and 16 of fig. 1) and a generally horizontally extending shelf (46 of fig. 2).

Furthermore, Ramachandran teaches wherein the customer station further comprises a cover (18 of fig. 1), and wherein the cover is movably mounted on the frame (14 and 16 of fig. 1), and wherein the cover is movable to enable access to the opening, and wherein the cover (18 of fig. 1) is movably mounted in supporting connection with the wall, and wherein in a first position the cover (18 of fig. 1) overlies at least one component among the customer visual display, customer CCTV camera, or customer carrier device, and wherein the cover includes at least one opening (62 of fig. 1), wherein the one component is manually accessible through the at least one opening whereby it is enabled to be operated by a customer in the first position of the cover, and wherein in a second position the cover is disposed from the one component and the component is rendered accessible for servicing (20, 22, 24, 28, 30 of fig. 1); the frame comprises a doorframe (40 of fig. 2); at least one hinge (48, 58 of figs. 3 and 4) operatively connected to the doorframe (40 of fig. 4), and wherein the cover (18 of fig. 1) is movably mounted relative to the frame through the hinge (note a pair of lifting arms (58 of fig. 4), functioning as a hinge, which are pivotally mounted on pins in the mounting areas (48 of fig. 4) relative to the frame (14 of fig. 1)); wherein the frame (14 and 16 of fig. 1) bounds the opening, and further comprising a sub frame in supporting connection with the frame, and wherein the sub frame extends in the opening (20, 22, 24, 28, 30 of fig. 1), and wherein at least one of the customer visual display, the customer CCTV camera, or the customer carrier device is in supporting connection with the sub

Art Unit: 2621

frame (20, 22, 24, 28, 30 of fig. 1); wherein the cover includes at least one storage location (28 of fig. 1, note storing cash money; 30 of fig. 1, note storing deposits), wherein articles (cash money, deposits) are enabled to be stored in the storage location; wherein in the first position the cover (18 of fig. 2) is in abutting relation (open position) with the wall and generally extends in surrounding relation of the frame (14 and 18 of fig. 1); releasable locking the cover (18 of fig. 2) in the first position by operatively engaging the cover and the frame in an area disposed from the hinge connection (58 of fig. 2); wherein when the cover (18 of fig. 1) is moved to the first position the cover extends in generally abutting relation with the wall and in surrounding relation of the frame (14 of fig. 1). Since the ATM of Ramachandran would obvious be mounted to the wall, one skill in the art would use the ATM of Ramachandran and the teachings of McClure and Granzow to build the transaction system including the costumer station with the ATM and the SP station inside the same building.

**The Claims Are Not Obvious Over
McClure in view of Granzow and Gallacher**

Claims 13, 17, 24-27

The appellants argued that the references do not teach the claimed limitations as specified in claims 13, 17, and 24-27, pages 53-56 of the appeal brief.

The examiner respectfully disagrees with the appellants. It is submitted that the video material presenting device comprises a computer (ACD and AGENT of fig. 10), and wherein the computer is in operative connection with a data store (ACD of fig. 10, database), and wherein the data store includes data representative of video material, and wherein the computer is in

Art Unit: 2621

operative connection with a data transmission line (ISDN CALL (2CHANNELS) of fig. 10), and wherein the video material is changeable through the data transmission line (ISDN, POTS of fig. 10) as claimed in claim 17;

wherein each customer station includes a device actuatable (ATM is actuated when the card has been read or a presence of customer has been detected) by a customer at a customer station (POINTING DEVICE, READER, CAM, MIKE, VISTIUM PERSONAL VIDEO CONFERENCING SOFTWARE of fig. 2; see also fig. 4), and wherein the system further includes a queuing device (C of fig. 11, Note receiving the requested information) at the SP station (fig. 11, AGENT 2), and wherein the queuing device is in operative connection with each customer actuatable device (RECEIVE REQUEST FROM CUSTOMER FOR VIDEO CONFERENCE of fig. 9), and wherein the queuing device is operative to generate an order wherein the order includes data representative of a time sequence (col. 3, lines 52-65) in which the actuatable devices at the customer stations were actuated (col. 8, lines 43-65), and wherein the queuing device is operative to indicate data responsive to the order (Note the request can be made, and detected, in numerous ways. For example, an electrical switch, labeled "PRESS FOR ASSISTANCE" can be provided at the ATM. The customer actuates the switch when assistance is requested, thereby producing the SIGNAL FROM CUSTOMER in FIG. 4. Alternately, the cradle which holds the telephone handset, discussed above, can be equipped with a detector, such as a mechanical switch or a proximity detector, which detects withdrawal of the handset. This detector issues the SIGNAL FROM CUSTOMER shown in FIG. 4) as claimed in claim 24;

wherein the SP station further includes a communication selector unit (fig. 11), and wherein the system is operative responsive to inputs to the selector unit to selectively place the

Art Unit: 2621

SP station in video and audio communication with one of the customer stations (audio and video conferencing; fig. 9; DELIVERLY MESSAGE WHICH, IDENTIFIES ATAM, REQUEST VIDEO CONFERENCE; Fig. 10), and wherein the selector unit is in operative connection with the queuing device, and wherein the queuing device (39 of fig. 4) is operative to remove from the order the data representative of the one customer station responsive to the selector unit operating to place the one customer station and the SP station in communication as claimed in claim 25;

wherein the customer station (ATM) actuatable device comprises a customer presence sensor (col. 4, line 61-col.5, line4), and wherein the queuing device is operative to defer placing data representative of the one customer station in the order while the SP station and the one customer station are in video and audio communication (39 of fig. 4) as claimed in claims 13 and 26;

wherein the sensor (col. 5, lines 1-4) is operative to sense a person positioned adjacent the customer station, and wherein the SP station includes an indicator in operative connection with the sensor wherein an indication is given at the SP station of the presence of the person adjacent the customer station (col. 8, lines 43-60); wherein the queuing device (col. 5, lines 1-4, note it is possible that the customer may leave the ATM abruptly. Block 39 monitors such activity, and automatically terminates the videoconference when it is detected. The detection can be undertaken in several ways. One is to detect whether the ATM has become IDLE, because of lack of customer input for a predetermined period, as indicated. In ATMs which are equipped with proximity sensors (which detect the approach of customers), the S.sup.4 software detects the approach, and issues a signal in response) is operative to place data representative of the one customer station in the order again after the customer presence sensor ceases to sense the

Art Unit: 2621

customer adjacent the one customer station subsequent to the one customer station and SP station being in communication, and thereafter again senses a customer as claimed in claim 27.

(11) Related Proceeding(s) Appendix


No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


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